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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 GLEN HUNSDERGER, MANUELLE
14 ALKEINE, & JENNIFER PESKETT,

15 Defendants.

Case No. 2:14-CR-00328-KJD-NJK

ORDER

16 Before the Court for consideration is the Order and Report and Recommendation (#91) of
17 Magistrate Judge Nancy J. Koppe entered August 26, 2015, recommending that Defendant Manuelle
18 Alkeine's Motion to Suppress (#57) to which Defendant Glen Hunsberger joined and Defendant
19 Jennifer Peskett's Motion to Suppress Evidence for Fourth Amendment Violations (#61) be denied.
20 In accordance with Local Rule IB 3-2 ("LR IB 3-2"), the Government filed Objections (#104) to the
21 portion of the report and recommendation finding Defendants had standing to object to the search of
22 the packages. Additionally, Defendants Manuelle Alkeine and Jennifer Peskett, respectively, filed
23 objections (#103/107). No responses to the objections were filed by any party.

24 The Court has conducted a *de novo* review of the record in this case in accordance with 28
25 U.S.C. § 636(b)(1) and LR IB 3-2. The Court determines that the Report and Recommendation
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1 (#91) of the United States Magistrate Judge entered August 26, 2015, should be **ADOPTED** and
2 **AFFIRMED**. The Magistrate Judge correctly concluded that under the procedural posture of the
3 case, Defendants had standing, as alleged in the Indictment, to object to the search of the packages.
4 Further, despite Defendants' characterizations of the evidence and authority, the Magistrate Judge's
5 well-reasoned analysis of the facts and law correctly determined that no error in the training or search
6 of the dogs YaYa and Daisy made their "canine sniffs" unreliable or tainted the information provided
7 in the affidavits attached to the applications for the search warrants. The factual and legal analysis of
8 the Magistrate Judge was thorough and exacting. Given the totality of the circumstances, the search
9 warrants were correctly issued and the contraband properly seized. Further, the Magistrate Judge
10 correctly concluded that Package 5 was correctly seized in accordance with the search warrant and as
11 evidence of the crime alleged in the present indictment, and therefore, Peskett's statements
12 voluntarily made to the postal inspector were not "fruit of the poisonous tree."

13 Accordingly, IT IS THEREFORE ORDERED that the Magistrate Judge's Order and Report
14 and Recommendation (#91) entered August 26, 2015, are **ADOPTED** and **AFFIRMED**, and
15 Defendants' Motions to Suppress Evidence (#57/61) are **DENIED**;

16 IT IS FURTHER ORDERED that the Objections (#103/104/107) are **DENIED**.

17 DATED this 9th day of November 2015.

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Kent J. Dawson
22 United States District Judge
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